

**STATE FIRE MARSHAL
TITLE 19
Chapter 3 Fire Extinguishers**

INITIAL STATEMENT OF REASONS

Pursuant to Health and Safety Code §13160 the State Fire Marshal shall administer regulations and standards for the protection and preservation of life and property to control the servicing, charging, and testing of all portable fire extinguishers and for controlling the sales and marketing of such devices

SPECIFIC PURPOSE AND RATIONALE

The State Fire Marshal is proposing to repeal of various section of Title 19 to eliminate redundant requirements inadvertently left in code from a previous rulemaking. The requirements of the sections, which are proposed to be repealed, are found within other sections of Chapter 3, Title 19.

NECESSITY

The State Fire Marshal is proposing to repeal sections of Chapter 3, Title 19, which contain duplicate requirements found elsewhere within the Chapter. These duplicate requirements are not necessary and by repealing the redundant sections, will eliminate the confusion caused by having the same requirement appear in more than one section of code.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, OR REPORT

The State Fire Marshal has utilized the State Fire Marshal's Fire Extinguisher Advisory Committee to analyze the requirements found in the sections proposed to be repealed to ensure that those requirements are found within other sections of Chapter 3.

REASONABLE ALTERNATIVES TO THE REGUALTION AND THE STATE FIRE MARSHAL'S REASONS FOR REJECTING THOSE ALTERNATIVES

The State fire Marshal staff has thoroughly reviewed this proposed regulatory action, including both the negative and positive impacts it will place upon industry. No alternatives considered by the State Fire Marshal would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective, or less burdensome to affected private persons than the proposed regulations.

ALTERNATIVES – SMALL BUSINESSES

The proposed regulations have no substantial effect to small business and the State Fire Marshal has not identified any alternatives that would lessen any adverse impact, if any, on small business.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS

The State Fire Marshal can find no evidence that this action will have a significant adverse economic impact on any business.

COORDINATION WITH FEDERAL LAW

The State Fire Marshal has determined that this proposed regulatory action neither conflicts with, nor duplicates any federal regulation contained in the Code of Federal Regulations.

Specific sections which have been modified:

Section 574 is being proposed to be adopted.

Necessity: The requirements found in Article 12 have been relocated to other sections within Chapter 3. The requirements of proposed to be repealed Section 597 has be relocated and renumbered as Section 574.

Section 597 is being proposed to be repealed and the requirements moved and renumbered as Section 574.

Necessity: The requirements found in Article 12 have been relocated to other sections within Chapter 3.

Section 597.1 is being proposed to be repealed.

Necessity: The requirements for yearly service of extinguishers found in Section 597.1 are also found in Sections 574.2, 574.5, 575.1 and 575.3.

Section 597.2 is being proposed to be repealed.

Necessity: The requirements for cartridges found in Section 597.2 are duplicated in Section 575.4,

Section 597.3 is being proposed to be repealed.

Necessity: The requirements for service tags found in Section 597.3 are duplicated in Sections 576.1 and 596. In addition, the requirement for internal maintenance tags was inadvertently left in code but should have been repealed when collar tag requirements were implemented.

Section 597.4 is being proposed to be repealed.

Necessity: The requirements for hydrostatic testing found in Section 597.4 are duplicated in Sections 591.1, 591.2, 591.5, 592, 592.1, 592.3, 592.4, 592.6, 594.4 and 594.5

Section 597.9 is being proposed to be repealed.

Necessity: The requirements for seals found in Section 597.9 have been updated and are found in Sections 575.11 and 575.12.

Section 603 is being proposed to be repealed.

Necessity: The requirements for the construction of water type extinguishers found in Section 603 are specifically addressed in the standard cited in Section 561.2.

Section 603.1 is being proposed to be repealed.

Necessity: The requirements for anti-freeze solutions found in Section 603.1 are duplicated in Section 567.8.

Section 603.2 is being proposed to be repealed.

Necessity: The requirement for the prohibited use of salt found in Section 603.2 is referenced in the Standards identified in Section 561.2.

Section 603.4 is being proposed to be repealed.

Necessity: The requirements for the replacement of equipment found in Section 603.4 are duplicated in Sections 575.4 and 577.2. In addition, soda acid extinguishers are specifically prohibited by Section 577.2 so the requirements for them identified in Section 603.4 are no longer applicable.

Section 603.5 is being proposed to be repealed.

Necessity: The requirements for chemical mixing found in Section 603.5 are found in Sections 575.13 and 577.2. In addition, soda acid extinguishers are specifically prohibited by Section 577.2 so the requirements for them identified in Section 603.5 are no longer applicable.

Section 604 is being proposed to be repealed.

Necessity: The requirements for the construction of vaporizing liquid extinguishers found in Section 604 are no longer applicable. Section 577.2 specifically prohibits the use of vaporizing liquid extinguishers.

Section 604.1 is being proposed to be repealed.

Necessity: The prohibition of the use of water in vaporizing liquid extinguishers found in Section 604.1 is no longer applicable. Section 577.2 specifically prohibits the use of vaporizing liquid extinguishers.

Section 604.2 is being proposed to be repealed.

Necessity: The requirements for the prohibited locations of vaporizing liquid extinguishers found in Section 604.2 are no longer applicable. Section 577.2 specifically prohibits the use of vaporizing liquid extinguishers.

Section 604.3 is being proposed to be repealed.

Necessity: The requirements for the recharge of vaporizing liquid extinguishers found in Section 604.3 are no longer applicable. Section 577.2 specifically prohibits the use of vaporizing liquid extinguishers.

Section 604.4 is being proposed to be repealed.

Necessity: The requirement for warning labels for vaporizing liquid extinguishers found in Section 604.4 are no longer applicable. Section 577.2 specifically prohibits the use of vaporizing liquid extinguishers.

Section 604.5 is being proposed to be repealed.

Necessity: The requirements for the sales of vaporizing liquid extinguishers found in Section 604.5 are no longer applicable. Section 577.2 specifically prohibits the use of vaporizing liquid extinguishers. In addition, the chemicals used in these types of extinguishers are no longer readily available to the general public due to the health hazard they impose.

Section 605 is being proposed to be repealed.

Necessity: The requirements for the construction of carbon dioxide extinguishers found in Section 605 are specifically addressed in the standard referenced in Section 561.2.

Section 605.2 is being proposed to be repealed.

Necessity: The requirements for the recharging of carbon dioxide extinguishers found in Section 605.2 are addressed in Sections 575.3 and 578.1.

Section 606 is being proposed to be repealed.

Necessity: The requirements for the construction of dry chemical extinguishers found in Section 606 are specifically addressed in the standard referenced in Section 561.2.

Section 606.1 is being proposed to be repealed.

Necessity: The requirements for recharging of dry chemical extinguishers found in Section 606.1 are addressed in Sections 575.3, 575.4, 575.14 and 578.1.

Section 606.2 is being proposed to be repealed.

Necessity: The prohibition of the use of water in dry chemical extinguishers found in Section 606.2 is addressed in Section 578.2 and the standards referenced in Section 561.2.

Section 606.4 is being proposed to be repealed.

Necessity: The prohibition of the intermixing of chemicals used in dry chemical extinguishers found in Section 606.4.1 is addressed Sections 575.4 and 578.2.

Section 607 is being proposed to be repealed.

Necessity: The requirements for construction of liquefied gas extinguishers found in Section 607 are specifically addressed in the standard referenced in Section 561.2.

Section 607.1 is being proposed to be repealed.

Necessity: The requirements for the recharging of liquefied gas extinguishers found in Section 607.1 are address in Sections 575.3 and 578.1.

Section 608 is being proposed to be repealed.

Necessity: The general requirement for hydrostatic testing of wet chemical and Non-D.O.T. cylinders address in Section 608 is addressed in Section 591.1.

Section 608.1 is being proposed to be repealed.

Necessity: The test apparatus for hydrostatic testing cited in Section 608.1 is addressed in Sections 594.3 and 594.4.

Section 608.2 is being proposed to be repealed.

Necessity: The requirement for the preparation of conducting a hydrostatic test addressed in Section 608.2 is addressed in Section 594.4.

Section 608.3 is being proposed to be repealed.

Necessity: The method of test pressure application addressed in Section 608.3 is addressed in Section 594.4.

Section 608.4 is being proposed to be repealed.

Necessity: The requirements for the required test pressures addressed in Section 608.4 are addressed in Sections 593.1, 593.2 and 593.3

Section 608.5 is being proposed to be repealed.

Necessity: The condition of acceptance addressed in Section 608.5 is addressed in Section 594.4.

Section 608.6 is being proposed to be repealed.

Necessity: The requirement for the removal of all trace of moisture from dry chemical extinguishers before recharging is addressed in Section 594.4. In addition, the requirements for vaporizing liquid extinguisher, is no longer applicable since they are specifically prohibited by Section 577.2.

Section 609 is being proposed to be repealed.

Necessity: The general requirements for hydrostatic testing of D.O.T. cylinders addressed in Section 609 are addressed in Section 594.4.

Section 609.1 is being proposed to be repealed.

Necessity: The acceptable methods for hydrostatic testing of D.O.T. cylinders addressed in Section 609 are addressed in Section 594.4.

Section 609.2 is being proposed to be repealed.

Necessity: The requirements for water jacket volumetric expansion method of hydrostatic testing of D.O.T. cylinders addressed in Section 609.2 are addressed in Section 594.4.

Section 609.3 is being proposed to be repealed.

Necessity: The four approved methods of conducting a water jacket volumetric expansion method of hydrostatic testing of D.O.T. cylinders addressed in Section 609.3 are addressed in Section 594.4.

Section 609.4 is being proposed to be repealed.

Necessity: The requirements for the water jacket leveling burette method of hydrostatic testing of D.O.T. cylinders addressed in Section 609.4 are addressed in Section 594.4.

Section 609.5 is being proposed to be repealed.

Necessity: The requirements for the water jacket rod displacement method of hydrostatic testing of D.O.T. cylinders addressed in Section 609.5 are addressed in Section 594.4.

Section 609.6 is being proposed to be repealed.

Necessity: The requirements for the water jacket leveling burette method of hydrostatic testing of D.O.T. cylinders addressed in Section 609.6 are addressed in Section 594.4.

Section 609.7 is being proposed to be repealed.

Necessity: The requirements for the water jacket leveling burette method of hydrostatic testing of D.O.T. cylinders addressed in Section 609.7 are addressed in Section 594.4.

Section 610 is being proposed to be repealed.

Necessity: The requirements for the direct expansion method of hydrostatic testing of D.O.T. cylinders addressed in Section 610 are addressed in Section 594.4.

Section 612 is being proposed to be repealed.

Necessity: The requirements for the proof pressure method of hydrostatic testing of D.O.T. cylinders addressed in Section 612 are addressed in Section 594.4.

Section 613 is being proposed to be repealed.

Necessity: The requirements for marking of extinguisher, which have successfully passed a hydrostatic test addressed in Section 613 have been updated and is addressed in Section 594.5

Section 614.2 is being proposed to be repealed.

Necessity: The requirements for attaching the tags to fire extinguishers addressed in Section 614.2 have been up dated and are addressed in Sections 596 and 596.3.

Section 614.4 is being proposed to be repealed.

Necessity: The requirements for tag format addressed in Section 614.4 have been updated and are addressed in Section 596.4.